



FREDERICK COUNTY PLANNING COMMISSION

March 14, 2018

TITLE: **St John's Catholic Prep – Classroom/Multi-Purpose Room Expansion**

FILE NUMBER: **SP-04-13, AP# 17884, APFO# 17885, FRO# 17886**

REQUEST: **Site Plan and APFO Approval**
The Applicant is requesting site plan approval for the construction of a 10,640 s.f. addition to the private school building to include classrooms, a multi-purpose room, and a cafeteria expansion on the 20-acre site.

PROJECT INFORMATION:

ADDRESS/LOCATION: 3989 Buckeystown Pike, located on the east side of MD 85, approximately ½ mile north of Buckeystown.
TAX MAP/PARCEL: Tax Map 95, Parcel 215 & 151
COMP. PLAN: Institutional
ZONING: Institutional (IE)
PLANNING REGION: Adamstown
WATER/SEWER: W-NPS, S-NPS

APPLICANT/REPRESENTATIVES:

APPLICANT: St John's Catholic Preparatory School, Inc
OWNER: - same -
ENGINEER: Harris, Smariga & Associates, Inc.
ARCHITECT: N/A
ATTORNEY: N/A

STAFF: Denis Superczynski, Principal Planner II

RECOMMENDATION:

Conditional Approval

ATTACHMENTS:

Exhibit 1 – Site Plan Rendering
Exhibit 2 – Modification Request to provide 2 small loading spaces in lieu of the 4 large spaces required
Exhibit 2 – APFO LOU

STAFF REPORT

ISSUE

Development Request

The Applicant is requesting site plan approval for construction of a 10,640 s.f. addition to the private school facility to include classrooms, a multi-purpose room, and a cafeteria expansion on the 20-acre site located on the east side of MD 85, near Buckeystown. The proposed use is being reviewed as a “Private School” per §1-19-8.480 of the Zoning Ordinance and is a principal permitted use in the Euclidean Institutional Zoning District subject to site development plan approval. See Figure 1 below.

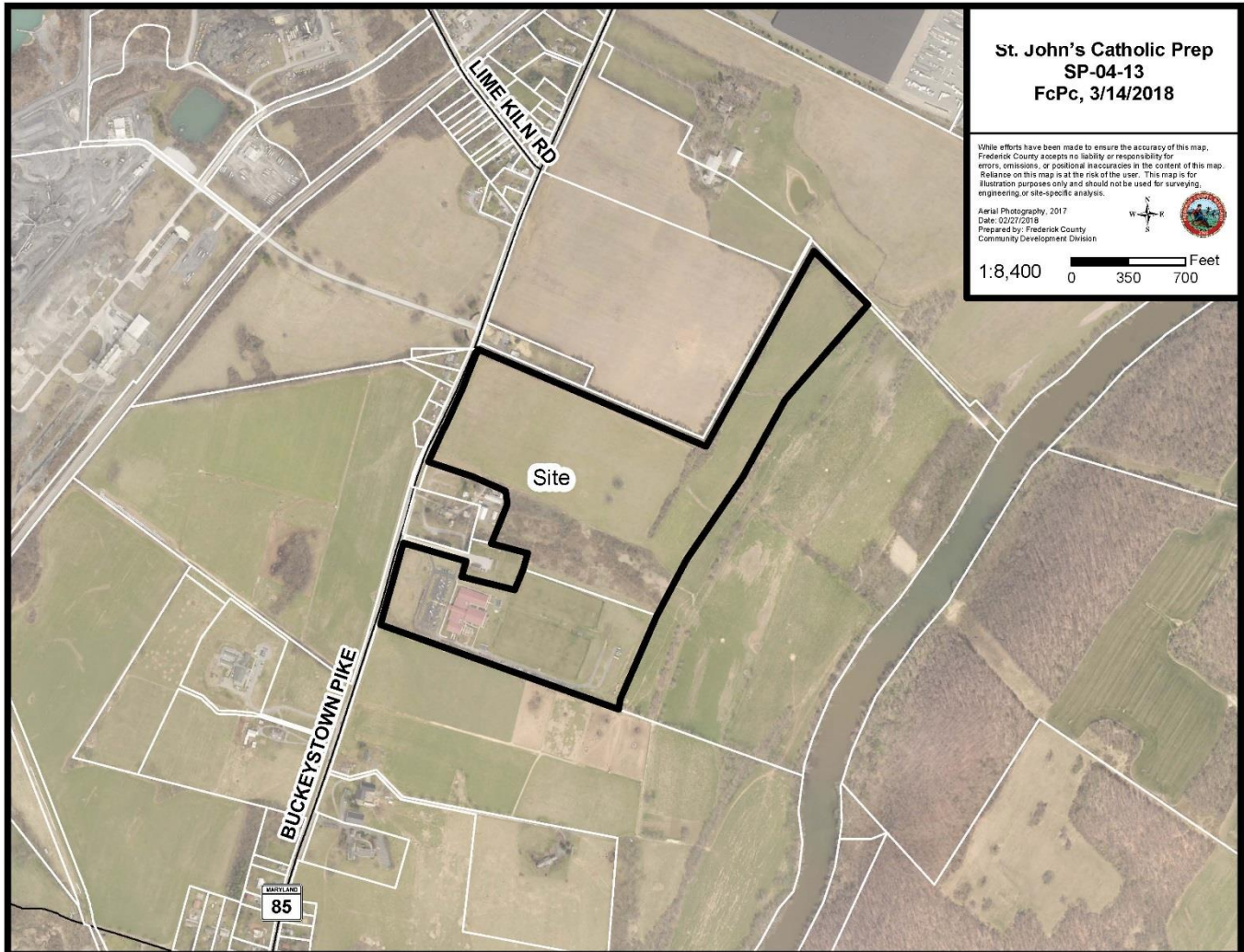


Figure 1: Site Vicinity Map – Aerial Image

BACKGROUND

Development History

A site plan for the St. Thomas More private elementary and middle school was approved by the Planning Commission in October 2004 after receiving approval from the Board of Appeals to operate a private school in the Agricultural zoning district earlier that year. The school was constructed and occupied by St. Thomas More. In 2010, the zoning of the property was changed to Euclidean Institutional (Ie). The property was sold to St. John's Catholic Prep in 2011 who received site plan approval for minor

expansions and retrofits to the facility to enable its use as a high school in April 2012. A site plan approval to expand locker rooms and to place a modular classroom on the site was approved in August 2017.

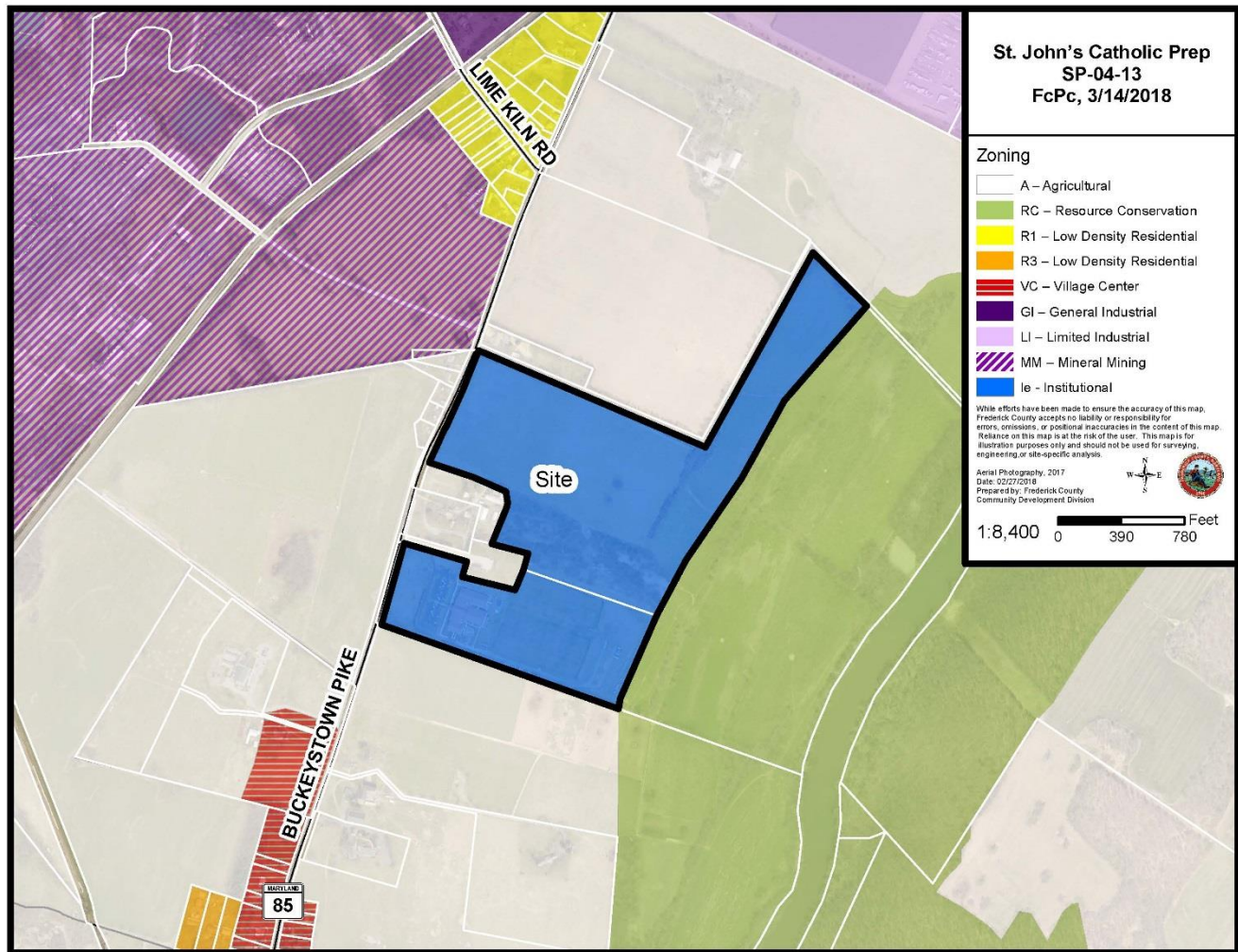


Figure 2: Site Vicinity Map – Zoning

Existing Site Characteristics

The Site is currently the home of St. John's Catholic Prep, a private high school serving students in grades 9 through 12. The property to the north of the site is zoned Agricultural (A) and developed with a US Post Office. Also located north of the school site is a seasonal antiques flea market at the Graff Farmstead which is listed on the County Register of Historic Places. Lands to the south and east are zoned Agricultural (A) and Resource Conservation (RC) and are actively farmed. The properties on the east side of MD 85 are a mix of lands zoned Agricultural (A), Mineral Mining (MM), and Village Center (VC). The rural village of Buckeystown is located less than ¼ mile to the south of the school site.

ANALYSIS

Summary of Development Standards Findings and Conclusions

The key issues associated with this site plan include:

- Accommodating minor expansions to an existing facility

- Confirmation that functional components of the site plan such as parking, circulation, landscaping screens, and pedestrian access are sufficient to serve the expanded school facility
- Seeking alternate wastewater disposal via new septic drain fields on the adjacent parcel

Detailed Analysis of Findings and Conclusions

Site Development Plan Approval shall be granted based upon the criteria found in §1-19-3.300.4 Site Plan Review Approval Criteria of the Frederick County Zoning Ordinance.

Site Development §1-19-3.300.4 (A): *Existing and anticipated surrounding land uses have been adequately considered in the design of the development and negative impacts have been minimized through such means as building placement or scale, landscaping, or screening, and an evaluation of lighting. Anticipated surrounding uses shall be determined based upon existing zoning and land use designations.*

Findings/Conclusions

1. **Dimensional Requirements/Bulk Standards §1-19-8.480:** Section 1-19-8.480(A) of the Zoning Ordinance stipulates the setback requirements and the maximum building height for the proposed use. The setback requirements for a 'Private School' land use within the Euclidean Institutional (Ie) zoning district are as follows:

	Required	Provided
Front Yard	40 feet	416 feet
Side Yard	50 feet	97 feet (south)/62 feet (north)
Rear Yard	50 feet	887 feet

Maximum building height allowed is 30 feet. The current structure measures 30 feet in height at its highest point as measured per the Zoning Ordinance. No building height is provided for the proposed addition. The Applicant must include a note stating that the proposed addition will not exceed 30 feet in height.

For parcels subdivided prior to the adoption of the Euclidean Institutional zoning district regulations (May 14, 2010), the standards for the zoning district in place at the time of subdivision, or original legal establishment of the use, will apply (See **§1-19-6.100**). In this case, the parcels were zoned Agricultural (A), with the following requirements:

	Required	Provided
Min. Lot Width	200 feet	510 feet
Min. Lot Size	40,000 sf	871,156 sf

The proposed plan appears to meet the Bulk/Dimensional requirements, provided that the building height is not higher than 30 feet.

2. **Signage §1-19-6.300:** The site is subject to the signage requirements set forth in Zoning Ordinance Section 1-19-6.320.

The Applicant is not proposing any changes to the currently approved signage planned for the site.

3. **Landscaping and Screening §1-19-6.400:** The Applicant is meeting Zoning Ordinance

requirements through a landscaping plan approved and implemented via the 2004 and 2012 applications. While much of the landscaping material survives, some key areas of vegetative screening have not survived or have been removed. This site plan proposal generally complies with the landscaping requirements of 1-19-6.400 but will require the Applicant to revisit the 2012 plan to demonstrate conformance with landscaping requirements.

4. **Lighting §1-19-6.500:** No additional lighting of the site is proposed in this plan, other than lighting required by code at building ingress/egress points.

Conditions

- The Applicant shall list the full set of required and proposed dimensional requirements, including the height of the proposed building addition, on the signature set.
- The Applicant shall coordinate with staff to identify vegetation that requires replanting to meet the requirements of the previously approved site plan. Unless otherwise revised by the Planning Commission, the landscaping approved on the 2012 site plan must be established or reestablished as part of any approval of this Application.

Transportation and Parking §1-19-3.300.4 (B): *The transportation system and parking areas are adequate to serve the proposed use in addition to existing uses by providing safe and efficient circulation, and design consideration that maximizes connections with surrounding land uses and accommodates public transit facilities. Evaluation factors include: on-street parking impacts, off-street parking and loading design, access location and design, vehicular, bicycle, and pedestrian circulation and safety, and existing or planned transit facilities.*

Findings/Conclusions

1. **Access/Circulation:** Access to the site will be via an existing private access road. The site plan does not propose any changes to the site access or circulation patterns already established to serve the school.
2. **Connectivity §1-19-6.220 (F):** The site is connected at two points to a common access drive that serves the U.S. Post Office facility as well as the adjacent Chartreuse & Company/Graff Farmstead site to the north. Inter parcel connectivity is not encouraged on the south due to the adjacent Agricultural zoning district and MET easement status of the adjoining parcels.
3. **Public Transit:** This site is not served by Transit.

Vehicle Parking and Loading §1-19-6.200-through 1-19-6.220: Parking requirements for a high school are calculated based upon the school's student capacity and typical number of employees present. The proposed site plan does not affect the number of students or employees at the school. No changes to the approved parking plan are proposed or required.

The Zoning Ordinance requires the provision of 1 large, or 2 small loading spaces for a structure over 5,000 s.f. net floor area. The expanded school will include over 51,000 s.f. and would require an additional three (3) large loading spaces unless waived by the Planning Commission through the granting of a modification to the loading space standards. The Applicant is providing two (2) small loading spaces on the south side of the existing structure and has submitted a Modification Request letter seeking approval to proceed as shown on the Site Plan.

4. **Bicycle Parking §1-19-6.220 (H):** The Zoning Ordinance requires the provision of 1 bike rack for every two (2) classrooms, therefore the Applicant is required to provide twelve (12) bike racks (20 existing classrooms + 4 proposed classrooms = 24 classrooms/2 = 12 racks). These racks must be placed in close proximity to the primary entrance of the school building and be located such that cyclists do not have to traverse unpaved surfaces. Bicycle racks shall be provided consistent with the Frederick County Bicycle Parking Design Guide (2010). Staff recommends that the Planning Commission consider modifying the requirement to acknowledge the rural location of the site and to permit the Applicant to install fewer than the required number of bicycle racks.
5. **Pedestrian Circulation and Safety §1-19-6.220 (G):** The Applicant is not proposing any significant changes to the current pedestrian circulation system on the site. A sidewalk is proposed for the rear of the new building addition and will provide for hard-surfaced emergency egress as well as for pedestrian access to the service areas at the rear and sides of the school building.

Conditions

- The Applicant shall indicate on the Site Plan the number of bike racks required and proposed for this use per Section 1-19-6.220 (H).

Public Utilities §1-19-3.300.4 (C): *Where the proposed development will be served by publicly owned community water and sewer, the facilities shall be adequate to serve the proposed development. Where proposed development will be served by facilities other than publicly owned community water and sewer, the facilities shall meet the requirements of and receive approval from the Maryland Department of the Environment/the Frederick County Health Department.*

Findings/Conclusions

1. **Private Well and Septic:** The existing septic fields are to be abandoned. New fields have been evaluated and approved for use by the Health Department on the adjacent Parcel 151. An addition plat must be approved and recorded, joining the two parcels prior to final approval of this Site Plan. An existing well will be used to provide water to the site. The Health Department has conditionally approved the proposed site plan.

Natural features §1-19-3.300.4 (D): *Natural features of the site have been evaluated and to the greatest extent practical maintained in a natural state and incorporated into the design of the development. Evaluation factors include topography, vegetation, sensitive resources, and natural hazards.*

Findings/Conclusions

1. **Topography:** The topography of the entire parcel slopes downward from MD 85 to the far eastern edge of the site, with slopes significantly less than 15%. The specific area proposed for the school addition is relatively flat.
2. **Vegetation:** The entire site is clear of any large stands of natural vegetation and is currently developed as the site of the private school.
3. **Sensitive Resources:** There are no sensitive environmental features located on this site.
4. **Natural Hazards:** A small area of FEMA floodplain exists on the southwestern corner of the site, adjacent to MD 85. No development activity is proposed within, or in close proximity to, this area.

Common Areas §1-19-3.300.4 (E): *If the plan of development includes common areas and/or facilities, the Planning Commission as a condition of approval may review the ownership, use, and maintenance of such lands or property to ensure the preservation of such areas, property, and facilities for their intended purposes.*

Findings/Conclusions

1. **Proposed Common Area:** There are no common areas proposed as part of this development proposal.

Other Applicable Regulations

Moderately Priced Dwelling Units – Chapter 1-6A: The proposed use is non-residential; therefore, MPDU's are not required.

Stormwater Management – Chapter 1-15.2: Stormwater Management (SWM) shall be provided in accordance with the 2000 Maryland Stormwater Design Manual, and according to the 2007 SWM Act. SWM is provided within a series of on-site micro-bioretenment (M-6) facilities. The proposed area of disturbance will exceed 5,000 s.f. and will require the submittal of improvement plans reflecting proposed strategies for managing stormwater on the site. No signature sets for an approved Site Plan will be accepted until SWM improvements have been submitted and subjected to an initial review by staff.

APFO – Chapter 1-20:

1. **Schools.** Schools are not impacted because the proposed development is a non-residential use.
2. **Water/Sewer.** The site is to be served by private well and septic and is classified NPS, and is therefore exempt from APFO Water/Sewer.
3. **Roads.** The Project will generate 10 trips during the weekday pm peak hour, which is under the APFO testing threshold per Section 1-20-30. In satisfaction of APFO requirements to provide fair share contributions to existing escrow accounts per Section 1-20-12(H), the Developer agrees to pay \$4,195 to the escrow accounts as described in the attached LOU.

Period of Validity: The APFO approval would be valid for three (3) years from the date of Commission approval; therefore, the APFO approval would expire on March 14, 2021

Forest Resource – Chapter 1-21: FRO mitigation was provided under the previously approved FRO plan (AP#2229) through the purchase of FRO banking credits.

Historic Preservation – Chapter 1-23: There are no historic properties located on this site, however the site is adjacent to the Graf Farmstead, a property listed on the County Register of Historic Places (#CR-14-01).

Summary of Agency Comments

Other Agency or Ordinance Requirements	Comment
Public Works Development Review (PWDR):	<i>Conditional Approval</i>
Development Review Planning:	<i>Conditional Approval</i>
State Highway Administration (SHA):	<i>Approved</i>
Street Name Review	<i>Approved</i>
Health Dept.	<i>Conditional Approval</i>
Office of Life Safety	<i>Approved</i>
Traffic Engineering	<i>Approved</i>
APFO	<i>Approved</i>
FRO	<i>Approved</i>

RECOMMENDATION

Staff has no objection to the conditional approval of the Site Plan. If the Planning Commission conditionally approves the site plan, the site plan is valid for a period of three (3) years from the date of Planning Commission approval (through March 14, 2021) or for the period of APFO approval, whichever is less.

Based upon the findings and conclusions as presented in the staff report the application meets or will meet all applicable zoning, APFO, and FRO requirements once the following conditions are met:

1. Address all agency comments as the plan proceeds through to completion.
2. The Applicant shall indicate on the Site Plan the number of bike racks required and proposed for this use per Section 1-19-6.220 (H) as discussed in the staff report.
3. The Applicant shall list the full set of required and proposed dimensional standards on the signature set.
4. The Applicant shall coordinate with staff to identify vegetation that requires replanting to meet the requirements of the previously approved site plan. The landscaping approved on the 2012 site plan must be established or reestablished as part of any approval of this Application.
5. Approval of the modification request to allow two (2) small loading spaces where four (4) large spaces are required. Furthermore, the Applicant shall clearly identify the loading spaces on the Site Plan and indicate the dimensions of these spaces if they are to be smaller than the Ordinance standard of 9 feet wide by 20 feet long.
6. An addition plat to combine the two subject parcels must be approved and recorded prior to final approval of this Site Plan.

PLANNING COMMISSION ACTION

MOTION TO APPROVE

I move that the Planning Commission **APPROVE** Site Plan SP-04-13 (AP# 17884) including APFO approval, **with conditions** and modifications as listed in the staff report for the construction of a 10,640 s.f. addition to the private school building to include classrooms, a multi-purpose room, and a cafeteria expansion on the 20-acre site, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.

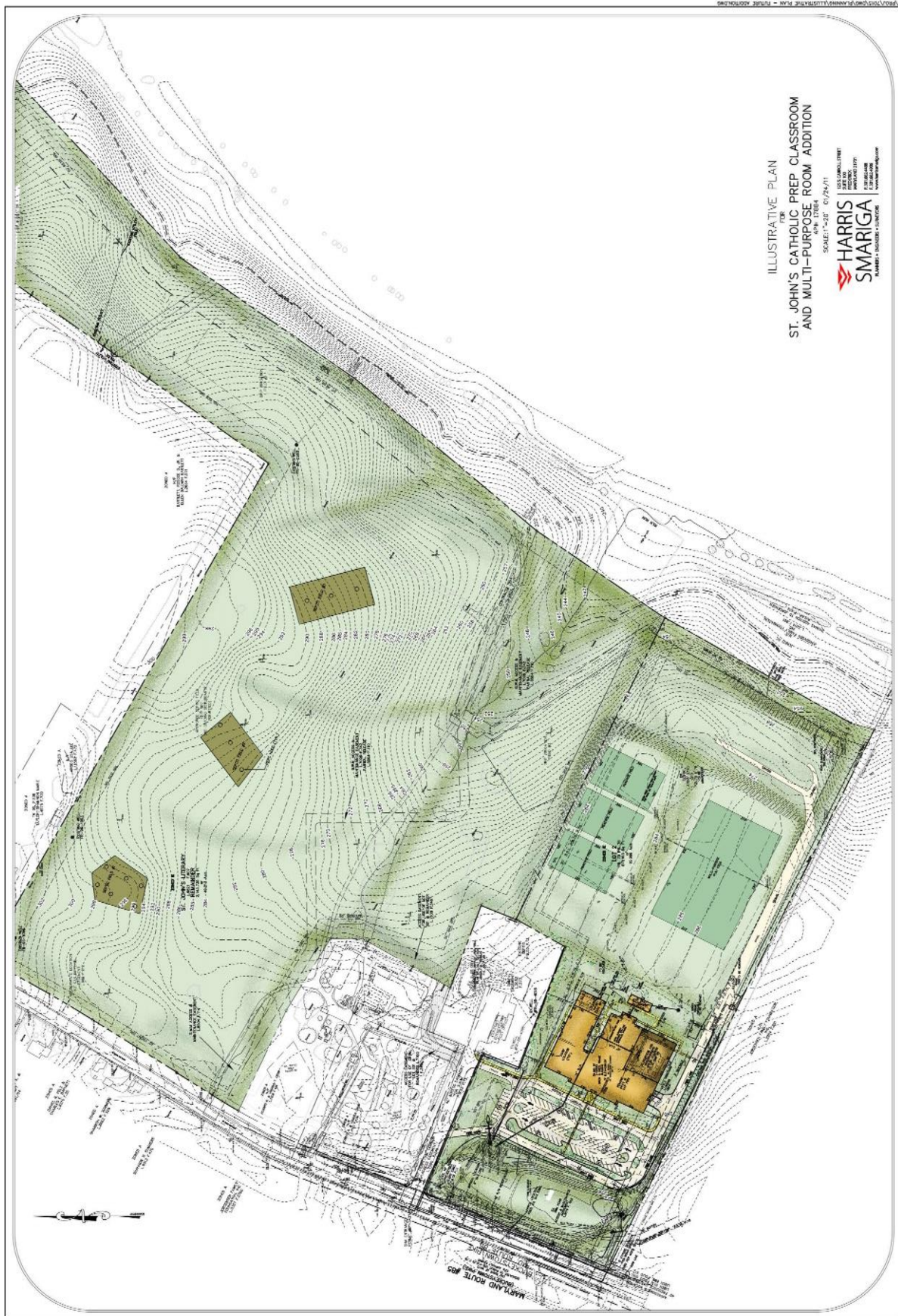


Exhibit 1: Site Plan Rendering



February 28, 2018

Frederick County Planning Commission Chairperson
Frederick County Government
30 North Market Street
Frederick, Maryland 21701

RE: Catholic Prep High School Loading Space Modification

Dear Chairperson:

On behalf of St. John's Catholic Prep High School, we are requesting a loading space modification as allowed in Section 1-19-6.210 (D) of the Frederick County Zoning Ordinance. Per the ordinance the school, based on the total proposed square footage of 54,427 square feet, is required to have 2 small loading spaces plus 2 large loading spaces. Large loading spaces are not needed for the school. The cafeteria does not prepare food and any other deliveries to the school would require only box truck or smaller. The two existing small loading spaces are sufficient to meet the existing and proposed school needs.

Thank you for your consideration of this modification request.

Sincerely,

A handwritten signature in black ink that reads 'Christine Mayo'.

Christine S. Mayo
Project Manager

T:\7000's\7015\7015-60000\Correspondence\loading modification letter 2.28.18.docx

Exhibit 2: Applicant's Modification Request – Loading Spaces

St. John's Catholic Prep – Site Plan

March 14, 2018

Page 11 of 14



FREDERICK COUNTY GOVERNMENT

DIVISION OF PLANNING & PERMITTING
Department of Development Review

Jan H. Gardner
County Executive

Steven C. Horn, Division Director
Michael L. Wilkins, Acting Director

ADEQUATE PUBLIC FACILITIES LETTER OF UNDERSTANDING

St. John's Catholic Prep

Site Plan #SP04-13, AP #17885

In General: The following Letter of Understanding ("**Letter**") between the Frederick County Planning Commission ("**Commission**") and St. John's Catholic Preparatory School, Inc. (the "**Developer**"), together with its/their successors and assigns, sets forth the conditions and terms which the Commission deems to be the minimum necessary improvements dealing with school, water, sewer, and road improvements that must be in place for the property identified below to be developed, as proposed under the St. John's Catholic Prep Site Plan (the "**Project**"), in compliance with the Frederick County Adequate Public Facilities Ordinance ("**APFO**").

The Developer, its successors and assigns, hereby agrees and understands that unless the required improvements (or contributions to road escrow accounts, as specified below) are provided in accordance with this Letter, APFO requirements will not be satisfied and development will not be permitted to proceed.

This Letter concerns itself with the Developer's 19.99 +/- acre parcel of land, which is zoned Institutional, and located on the east side of Buckystown Pike (MD 85) between Kiln Road and Keller Lime Plant Road. This APFO approval will be for the development of a private school addition of 10,640 sq. ft., which is shown on the site plan for the above-referenced Project, which was conditionally approved by the Commission on March 14, 2018.

Schools: Schools are not impacted because the development of the property is a non-residential use.

Water and Sewer: Lot is to use well and septic. Water and sewer classifications are both "No Planned Service".

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Exhibit 3: APFO LOU

St. John's Catholic Prep – Site Plan

March 14, 2018

Page 12 of 14

Road Improvements: The Project will generate 10 trips during the weekday pm peak hour, which is under the APFO testing threshold per Section 1-20-30. In satisfaction of APFO requirements to provide fair share contributions to existing escrow accounts per Section 1-20-12(H), the Developer shall pay into the County-held escrow accounts the following pro rata contributions:

1. Escrow Account No. 3286 for a signal at the intersection of New Design Rd/English Muffin Way - The estimated cost of the improvement is \$350,000. The Developer's proportionate share of this Road Improvement is 0.33%. Therefore the Developer hereby agrees to pay \$1,155 to the escrow account for this Road Improvement.
2. Escrow Account No. 3282 for an additional northbound through lane at the intersection of Crestwood Blvd/MD 85 - The estimated cost of the improvement is \$1,158,300. The Developer's proportionate share of this Road Improvement is 0.17%. Therefore the Developer hereby agrees to pay \$1,969 to the escrow account for this Road Improvement.
3. Escrow Account No. 3253 for a signal at the intersection of MD 85/English Muffin Way - The estimated cost of the improvement is \$73,176. The Developer's proportionate share of this Road Improvement is 0.36%. Therefore the Developer hereby agrees to pay \$263 to the escrow account for this Road Improvement.
4. Escrow Account No. 3761 for a second eastbound left turn lane at the intersection of MD 85/English Muffin Way - The estimated cost of the improvement is \$104,888. The Developer's proportionate share of this Road Improvement is 0.77%. Therefore the Developer hereby agrees to pay \$808 to the escrow account for this Road Improvement.

Therefore, prior to building permit issuance, the Developer hereby agrees to pay \$4,195 to the escrow accounts described above for these Road Improvements. Should these payments not be made within one year of the execution of this Letter, the County reserves the right to adjust this amount, based on an engineering cost index.

Period of Validity: The APFO approval is valid for three (3) years from the date of Commission approval; therefore, the APFO approval expires on March 14, 2021.

Disclaimer: This Letter pertains to APFO approval only, and shall not be construed to provide any express or implied rights to continue the development process. The Project remains subject to all applicable rules and regulations, including but not limited to those related to zoning, water and sewer, and subdivision. The Planning Commission's jurisdiction and authority is limited by State and County law, and approvals may be required from other local or state governmental agencies before the proposed development can proceed.

[Signatures on next page]

Page 2
St. John's Catholic Prep LOU

ST. JOHN'S CATHOLIC PREPARATORY SCHOOL, INC.

By: Thomas H. Powell Date: 3/6/2018
Thomas H. Powell, President

FREDERICK COUNTY PLANNING COMMISSION:

By: _____ Date: _____
Anthony Bruscia, Chair or Carole Sepe, Secretary

ATTEST:

By: _____ Date: _____
Gary Hessong, Director, Permits & Inspections

Planner's Initials / Date _____

County Attorney's Office Initials / Date _____
(Approved as to legal form)